

Apprenticeship Policy

The Workforce Innovation and Opportunity Act (WIOA) establishes sector strategies as a primary approach for meeting employer needs while simultaneously building and defining career pathways for individuals. Apprenticeships are employer driven structured education and on-the-job training models that take place in the workplace. Apprentices must gain and demonstrate competencies either over a period of time or at specific benchmarks in the apprenticeship program. Apprenticeships can be trade (nationally registered), registered apprenticeship (state registered) or company apprenticeships.

Apprenticeships combine rigorous, high-quality education with on-the-job training and other services that:

- Provide earn and learn opportunities;
- Ensure a talent pipeline and strategies to retain high-skilled employees and promote organizational and industry-specific knowledge;
- Align with the skills needs of industries in state or regional economies;
- Offer individuals a full range of educational options; and
- Help an individual enter or advance within a specific occupation or occupational cluster.

An apprenticeship can be anywhere from 1-6 years and **must, at a minimum**, include at least 2,000 hours of OJT and a required 144 hours of Required Technical Instruction (RTI) annually. Apprentices must work full-time, and their wages must meet minimum wage regulations.

DEFINITIONS:

Apprentice-Any individual employed by the employer meeting the qualifications described in the standards of registered apprenticeship who has signed an apprenticeship agreement with the local program sponsor providing for training and instruction under these standards and who registers with the Registration Agency.

Apprenticeship and Training Office (ATO)- Recognized state office established and operated by PA's Department of Labor & Industry that oversees apprenticeship programs. Including but not limited to development and approval of programs.

Certificate of Completion of Apprenticeship- A nationally recognized credential issued by ATO to those registered apprentices certified and documented as having successfully completed the apprentice training requirements in these standards of registered apprenticeship.

Eligible Training Provider- a provider of training services who has met the eligibility requirements to receive WIOA Title I funds to provide training services to eligible individuals.

Eligible Training Provider List (or ETPL)- the commonwealth's statewide list of approved providers of training services who are eligible to receive WIOA Title I funds.

Registered Pre-Apprenticeship Program- A workforce development program formally registered through the Apprenticeship and Training Office that assists individuals in obtaining the fundamental skills needed to enter an apprenticeship and should include the following: connection to existing apprenticeship programs; approved training and curriculum; opportunity to earn an industry-recognized credential; hands-on learning with a career focus; access to support services and career counseling.

Joint Apprenticeship Training Programs- are made up of employers and unions. They have an apprenticeship training school where the instructional portion of the apprenticeship program is delivered. The training schools are usually administered by the union, in which case the union would be the eligible training provider.

Non-Joint Apprenticeship Program- A registered apprenticeship program in which a bona fide collective bargaining agent does not participate or a union sponsored program in which the employer does not participate; it includes an individual non-agent, a registered apprenticeship program sponsored by one employer without the participation of a union; and a group non-joint sponsor, a registered apprenticeship program sponsored by two or more employers without the participation of a union.

On-the-job Training- Tasks learned on the job in which the apprentice must become proficient before a completion certificate is awarded. The training is defined in the Work Process and must be through structured, supervised work experience.

Recognized post-secondary credential- means a credential consisting of an industry-recognized certificate or certification, a certificate of completion of an apprenticeship license recognized by the state involved or federal government, or an associate or baccalaureate degree.

Registered Apprenticeship Program-An apprenticeship program registered through the PA Apprenticeship and Training Council (PATC) and evidenced by a Certificate of Registration or other appropriate document as meeting the registered apprenticeship standards of the PA Apprenticeship and Training Office and the PATC. Act of August 16, 1937 (commonly known as the "National Apprenticeship Act; 50 Stat. 664, chapter 663; 29 USC 50 et seq.))

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Registered Apprenticeship Program Sponsor- Any person, association, committee or organization that operates a registered apprenticeship program and in whose name the program is registered that assumes the full responsibility for administration and operation of the program. Sponsors can be single businesses, a consortium of businesses, training providers. They must specify the minimum qualification to apply to and be found eligible for the Registered Apprenticeship program.

Related Technical Instruction (RTI)- An organized and systematic form of instruction designed to provide the apprentice with knowledge of the theoretical and technical subjects related to the apprentice's occupation. Such instruction may be given in a classroom, through occupational or industrial courses, or by correspondence courses of equivalent value, electronic media, or other forms of self-study approved by PATC. Each year of apprenticeship requires a minimum of 144 RTI hours.

APPRENTICESHIPS AS ELIGIBLE TRAINING PROVIDERS

Under WIOA, all registered apprenticeships that seek to be included on the state's eligible training provider list (ETPL) are automatically eligible to be included on the state's list and must be provided an opportunity to consent to their inclusion. Once on the state's ETPL, registered apprenticeships will remain on the list until they are deregistered or until the registered apprenticeship notifies the state that it no longer wants to be included on the ETPL. Non-registered apprenticeships must meet the requirements of other eligible providers of training services in order to be included on the state's ETPL in Pennsylvania.

FUNDING APPRENTICESHIPS AND REGISTERED APPRENTICESHIPS

There are several ways in which WIOA training funds may be used to support participation in registered apprenticeships and apprenticeship models. Apprenticeships, whether federal or state registered can be funded for a combination of classroom training and on-the-job training. Training may be done by the employer-of-record or a third party contracted by the sponsor to deliver the training. The Registered Apprenticeship Sponsor **must be** included in the conversations regarding apprenticeship funding. For additional information regarding each training program summarized below, refer to the program-specific NWP Job Connect local policy at www.nwpajobconnect.org.

Individual Training Accounts (ITAs): Registered Apprenticeship Sponsors can use ITA funds to support the Required Technical Instruction (RTI) portion of the apprenticeship program for eligible apprentices. ITA can also fund pre-apprenticeship training if the sponsor is on the general ETPL.

- To receive WIOA funds for an ITA, the apprentice must meet WIOA eligibility requirements, including Selective Service registration.
- Apprentices are not required to prove no default on student loans
- Apprentices are not required to apply for financial aid
- Apprentices are not required to complete a training selection form
- Apprentices must meet the sponsor's requirements regarding the RTI portion of the training.

- Assessments may be waived at the discretion of the Title I program services contractor, because the RTIs are part of the employment under the Registered Apprenticeship.
- ITA funding maximum amount will follow the local ITA policy.

If the apprentice leaves the Registered Apprenticeship program for any reason and ITA funding was utilized for Required Instructional Hours, the Sponsor may request a refund based on the training provider's refund policy.

On-the-Job Training (OJT): An OJT contract may be developed with an apprenticeship program for training participants. OJT contracts can cover one or multiple apprentices with the reimbursement for OJT typically at 50% of the apprentice's wage rate. In limited circumstances, the reimbursement rate may be up to 75%.

- OJTs will not reimburse for Required Technical Instruction hours.
- OJT contracts may be developed with an employer. The OJT contract may be made to support some or the entire OJT portion of the apprenticeship program subject to the requirements of the NWPA Job Connect local OJT policy.
- If the apprentice is employed at time of participation, the OJT must be conducted as described in § 680.710 which states the following:
 - The employee is not earning a self-sufficient wage or wages comparable to or higher than wages from previous employment, as determined by the Local WDB policy. (See Self-Sufficiency Policy).
 - Requirements for on-the-job training are met (see 20 CFR § 680.700); and
 - The OJT relates to the introduction of new technologies, introduction to new production or service procedures, upgrading to new jobs that require additional skills, workplace literacy, or other appropriate purposes identified by the Local WDB.

The OJT will be under the direction and guidance of the apprentice's supervisor.

ITA/OJT Joint Funding: There is no federal prohibition on using both ITA and OJT funds when placing participants into a registered apprenticeship program. A combination of an ITA to cover the classroom instruction along with an OJT contract to cover the on-the-job portions of the registered apprenticeship is allowed.

Customized Job Training (CJT): CJT funds can be used to subsidize the classroom training portion of the Registered Apprenticeship. CJT funds can be used to support apprenticeship programs that are designed to meet the special requirements of an employer or group of employers who are willing to pay for a significant portion of the cost of the training and include a commitment by the employer(s) to employ an individual upon successful completion of the training.

- CJT contracts may be developed with an employer or a training provider.

- In order for an apprenticeship to qualify for a CJT contract, the employer and participant are subject to the requirements outlined in the NWPA Job Connect local CJT policy.
- Programs must demonstrate that the apprenticeship position is on a career pathway towards a higher level and/or higher paying employment upon completing the customized training.

Incumbent Worker Training (IWT): Subject to availability of funds, incumbent worker training may be used for “upskilling” apprentices who already have an established worker/training relationship with the registered apprenticeship program. This is subject to the requirements outlined in the NWPA Job Connect local IWT policy.

Supportive Services- WIOA funds can support a variety of supportive services that enable an apprentice to participant in training. See NWPA Job Connect Supportive Services Policy for types of allowable supportive services and maximum limits.

CWDS DATA ENTRY:

PA CareerLink® programs collect and report of statutorily required elements necessary to determine the performance outcomes of individuals to whom they provide services. Registered Apprenticeships must be tracked in CWDS, the state system of record. Title I staff will utilize the WTS15 service code.

WHEN TO EXIT:

The point of exit must be based on when the participant is successfully moving through the Registered Apprenticeship program and is no longer receiving WIOA services. The following three milestones must be considered when determining an appropriate point of exit:

- 1) **Wage Increases-** Apprentices receive progressive increases in pay as their skills and knowledge increase. Increased earnings signal that support through WIOA may no longer be needed.
- 2) **Credential Attainment-** Many Registered Apprenticeship program offer interim occupational credentials that can be attained by apprentices during their program. Attainment of a credential signals that apprentices have successfully advanced along a career pathway and increased their skills in the field and potentially moved beyond the point of needing WIOA support.
- 3) **Measurable Skill Gains-** as apprentices’ skills increase, they should be able to document progress towards an interim occupational credential or the certificate of completion awarded at the end of the successful completion of the registered apprenticeship. Documented progress is defined as either:
 - a. Satisfactory or better progress report towards established milestones, such as completion of OJT or completion of one year of an apprenticeship or similar milestones, from an employer or training provider who is providing training; or
 - b. Successful passage of an exam that is required for a particular occupation or progress in attaining technical or occupational skills as evidenced by trade-related benchmarks such as knowledge-based exams.

PRE-APPRENTICESHIP

Pre-apprenticeship programs are designed to prepare individuals to enter and succeed in Registered Apprenticeship programs and ultimately a career. Pre-apprenticeship programs link directly to existing apprenticeship programs and provide the instruction, preparation, and supports to advance participants to apprenticeship programs or careers. They provide instruction and/or training to increase math, literacy, and other vocational and pre-vocational skills needed to gain entry into a registered apprenticeship program. Pre-apprenticeship models that are aligned with the needs of key industry sectors create opportunities to advance students, job seekers, and workers along the talent pipeline. This is an effective strategy to prepare underrepresented populations for high-quality employment opportunities and to increase diversity and equity through the apprenticeship and workforce system. A pre-apprenticeship program funded with WIOA funding must have at least one registered apprenticeship partner; such pre-apprenticeship programs must possess or develop a strong record of enrolling their pre-apprenticeship graduates into a registered apprenticeship program. Once the participant is enrolled in the registered apprenticeship program, and if his/her funding has not been exhausted, a portion and/or the balance of funding may be used to cover the costs of the registered apprenticeship program's classroom training/related instruction.

Pre-apprenticeship programs generally consist of the following:

- Training and curriculum that aligns with the skill needs of employers in the economy of the state or region involved;
- Access to educational and career counseling and other supportive services, directly or indirectly;
- Hands-on, meaningful learning activities that are connected to education and training activities, such as exploring career options, and understanding how the skills acquired through coursework can be applied toward a future career;
- Opportunities to attain at least one industry-recognized credential; and
- A partnership with one or more registered apprenticeship programs that assists in placing individuals who complete the pre-apprenticeship program into a registered apprenticeship program.

It must be noted that pre-apprenticeship programs do not have the same automatic ETP status under WIOA as do registered apprenticeship programs according to 20 CFR Part 680.470(f). The USDOL does not register or regulate pre-apprenticeship programs, although they have defined the attributes of a quality pre-apprenticeship program in TEN 13-12.

Organizations offering pre-apprenticeship training programs that are seeking ETP status are required to go through the same vetting process and performance reporting requirements as all other training providers in the state. If the pre-apprenticeship training program is on the ETP list, WIOA Title I funds may be used to fund that program for eligible individuals.

The PA Department of Labor and Industry includes an Apprenticeship and Training Office that provides additional information and resources on apprenticeship and pre-

apprenticeship that can be accessed at <https://www.dli.pa.gov/Individuals/Workforce-Development/apprenticeship/Pages/default.aspx>.

REFERENCES

WIOA Section 134(d)(1)(A)	20 CFR Part 680.700
20 CFR Part 680.330	20 CFR Part 680.710
20 CFR Part 680.470	20 CFR Part 680.740
20 CFR Part 681.480	
TEGL No. 13-16	

HISTORY

Name	Date	Rev Level	Description of change	Effective Date
Deb O’Neil	01/22/2021	A	New Policy required by Local Plan process	03/12/2021
Deb O’Neil	09/27/2021	B	Add language to clarify training for RA does not require HPO or PA IDOL	11/12/2021
Susan Richmond	02/25/2022	C	Updates to policy language based on updated information provided from Apprenticeship and Training Office	04/18/2022
Susan Richmond	03/01/2023	D	Add language to clarify OJT contract requirements for employed workers; update IWT section to reflect IWT policy.	05/12/2023